

whether filed by commenters or those requesting intervenor status.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for ONG and OGT to appear or be represented at the hearing.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 98-31591 Filed 11-25-98; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA99-4-000]

#### Questa Energy Corporation; Notice of Petition for Adjustment

November 23, 1998.

Take notice that on November 4, 1998, Questa Energy Corporation (Questa), filed a petition for adjustment in Docket No. SA99-4-000, pursuant to Section 502(c) of the Natural Gas Policy Act of 1978, requesting to be relieved from having to pay Kansas ad valorem tax refunds on the Edwards #1 well to Northern Natural Gas Company (Northern). Questa is the successor-in-interest to Enertec Corporation (Enertec) and Oakwood Resources, Inc., (Oakwood) in the Edwards #1 well. Northern's May 18, 1998, Refund Report shows that the refund previously attributable to Enertec is \$151.28, and that the refund previously attributable to Oakwood is \$1,244.56. Questa's petition is on file with the Commission and open to public inspection.

Questa states that it acquired the Enertec and Oakwood working interests, effective June 1, 1986, and that the Edwards #1 well is a marginal gas well that was under consideration to be plugged when Questa acquired it.

According to Questa, both Enertec and Oakwood are bankrupt and dissolved. Questa asserts that it did not profit from the alleged unlawful gas price and was not aware of the potential refund obligation when it acquired Enertec and Oakwood's working interests. Questa contends that it would suffer a special hardship if it is required to step into the shoes of Enertec and Oakwood and pay a refund obligation on their behalf, for a marginal gas well, when Questa has no way to recover those refunds from Enertec and Oakwood, the entities that actually benefited from the over-collections.

Any person desiring to be heard or to make any protest with reference to said petition should, on or before 15 days after the date of publication in the **Federal Register** of this notice, file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211, 385.1105, and 385.1106). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. SA99-2-000]

#### Suerte Oil Company; Notice of Petition for Staff Adjustment

November 20, 1998.

Take notice that on November 2, 1998, Suerte Oil Company (Suerte), P.O. Box 725, Howard, Kansas 67349 filed in Docket No. SA99-2-000 a petition for adjustment pursuant to Section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), requesting to be relieved of its obligation to make Kansas ad valorem tax refunds, as required by the Commission's September 10, 1997 order in Docket No. RP97-369-000 *et al.*<sup>1</sup>

<sup>1</sup> See 80 FERC ¶ 61,264 (1997); order denying rehearing issued January 28, 1998, 82 FERC ¶ 61,058 (1998).

Suerte's petition is on file with the Commission and open to public inspection.

The Commission's September 10, 1997 order on remand from the D.C. Circuit Court of Appeals<sup>2</sup> directed first sellers under the NGPA to make Kansas ad valorem tax refunds, with interest, for the period from 1983 to 1988.

Suerte indicates that Colorado Interstate Gas Company (CIG) paid Suerte a total of \$683.54 in Kansas ad valorem tax reimbursements on the Hines lease. Of this amount, Suerte's portion was \$598.10. The remaining \$85.44 was the royalty owners' portion. Suerte refunded the \$598.10 to CIG, but not \$1,438.80 now due in interest. Suerte states that 22 royalty owners are involved in this lease and it would be impossible to collect the money from all of them since some are deceased and others didn't pay their taxes before the law went into effect and Suerte had to deduct it from their royalty payments.

Suerte states that this well has been shut-in since January, 1996 and will be plugged later at an approximate cost of \$5,000-\$10,000, making it impossible to pay-off the interest payment through well revenues.

Suerte requests the Commission to waive the payment of the \$1,438.80 in interest and the royalty owners' portion (\$85.44) on the basis that the payment of such refunds would prove to be an economic hardship for Suerte.

Any person desiring to be heard or to make any protest with reference to said petition should on or before 15 days after the date of publication in the **Federal Register** of this notice, file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211, 385.1105, and 385.1106). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing must file a motion to intervene in accordance with the Commission's Rules.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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<sup>2</sup> *Public Service Company of Colorado v. FERC*, 91 F.3d 1478 (D.C. 1996) cert. denied, Nos. 96-954 and 96-1230 (65 U.S.L.W. 3751 and 3754, May 12, 1997) (Public Service).